

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LORETTA TAYLOR, et al.

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, CHERYL
STRANGE, and TODD DOWLER,

Defendant.

No. 3:23-cv-06186-MLP

STIPULATED MOTION TO
EXTEND REPLY DEADLINE AND
SET BRIEFING SCHEDULE
AND ~~PROPOSED~~ ORDER

Note on Motion Calendar:
August 8, 2024

STIPULATION

Plaintiffs Loretta Taylor, *et al.*, and Defendants Washington State Department of Corrections, Cheryl Strange, and Todd Dowler hereby stipulate as follows:

1. On July 9, 2024, Defendants filed their Motion to Dismiss Plaintiffs' First Amended Complaint (MTD). Dkt. #29. On July 30, Plaintiffs filed their Response to Defendants' MTD. Dkt. #33. Defendants' deadline to file a Reply in support of the MTD (Reply) was August 6. *See* LCR 7(d)(4).

2. On July 31, 2024, Defendants' lead counsel in this matter, Kai A. Smith, welcomed a new baby. Mr. Smith had been planning to prepare Defendants' Reply because Defendants' other counsel of record, Zachary J. Pekelis and Erica Coray, are in the midst of discovery and dispositive

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1 briefing in another matter involving over 20 depositions, expert reports, written discovery, and a
2 motion for summary judgment—all in the next five weeks.

3 3. On Friday, August 2, 2024, Mr. Pekelis contacted Plaintiffs' lead counsel Nathan
4 Arnold to request a 30-day extension of Defendants' Reply deadline. After being unable to meet
5 and confer the same day or over the weekend, on Monday, August 5, 2024, Mr. Arnold agreed to
6 a one-week extension of the Reply deadline, making the reply due on August 13, 2024 rather than
7 August 6, 2024. Mr. Arnold also agreed to Mr. Pekelis' request for an expedited briefing schedule
8 shortening the default deadlines to enable Defendants to move the Court for additional time to file
9 their Reply. Plaintiffs reserve the right to assert that an unforeseen emergency did not, and does,
10 not exist.

11 4. Defendants move, and Plaintiffs do not oppose, that the Court may order as follows:

- 12 • That Defendants' deadline to file their Reply be extended until Tuesday, August
13 13.
- 14 • That Defendants may file a motion to further extend the Reply deadline (Motion
15 for Extension) and note it for hearing without oral argument on Monday, August
16 12.
- 17 • That the following briefing schedule should apply to Defendants' forthcoming
18 Motion for Extension: (1) Defendants' deadline to file the motion shall be
19 Thursday, August 8, 2024; (2) Plaintiffs' deadline to file any response shall be
20 Friday, August 9; and (3) Defendants' deadline to file any reply shall be Monday,
21 August 12.

22 STIPULATED to this 8th day of August, 2024.

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24 STIPULATED MOTION TO EXTEND REPLY
25 DEADLINE AND SET BRIEFING SCHEDULE
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ORDER

This matter having come before the Court by stipulated motion of counsel, and for good cause shown, IT IS ORDERED that:

1. Defendants' deadline to file their Reply in support of their Motion to Dismiss Amended Complaint is extended until Tuesday, August 13, 2024.

2. Defendants may file a motion to further extend the Reply deadline (Motion for Extension) by Thursday, August 8, 2024, and note it for hearing without oral argument on Monday, August 12, 2024.

3. Plaintiffs' deadline to file any response to the Motion for Extension shall be Friday, August 9, 2024.

4. Defendants' deadline to file any reply in support of the Motion for Extension shall be Monday, August 12, 2024.

DATED this 8th day of August, 2024.



HONORABLE MICHELLE L. PETERSON
UNITED STATES MAGISTRATE JUDGE